

REMARKS

In response to the requirement for restriction, Applicant elects to prosecute Group I, claims 1-16 with traverse. Claim 17 has been cancelled.

Formal drawings are submitted herewith in response to the draftsman's objections.

Objection to the specification

Please amend the specification on page 4, lines 6-8 as follows:

Also preferred are ~~random copolymers of at least two of PET, PBT, and PPT,~~
and mixtures of at least two of PET, PBT, and PPT, ~~and mixtures of any of the~~
~~forgoing.~~

Rejections under 35 U.S.C. § 112

Claims 1-15 have been rejected under 35 U.S.C. § 112, second paragraph as being indefinite, as claim 1 contains limitations drawn to both a composition and an article. Claim 1 has been amended to make it more clear that the claim is directed to a composition. Claim 1-15 are believed to be definite.

Rejections under 35 U.S.C. § 101

Claims 1-15 have been rejected under 35 U.S.C. § 101 for being directed to both a composition and an article. Claim 1 has been amended to make it more clear that the claim is directed to a composition and claims 1-15 are believed to be in compliance with 35 U.S.C. § 101.

Claim objections

Claim 13 was objected to because it was deemed unclear as to what the copolymers of at least two of PET, PBT, PPT and the two different mixtures refer to. Claim 13 has been amended to remove references to "copolymers of at least two of PET, PBT, and PPT" and "and mixtures of any of the forgoing."

Rejections under 35 U.S.C. § 103

Claims 1-16 have been rejected under 35 U.S.C. § 103(a) as being obvious over Harashima et al (WO 01/48086) in view of Takahashi et al. (US 4,742,109). U.S. 6,790,886 has been used as the English equivalent of WO 01/48086 by the examiner.

The composition of the present invention possesses a unique combination of properties in that it is flame-retardant, can be laser welded, and has good impact resistance. Such a combination of properties is difficult to obtain, as the use of traditional halogenated flame retardant systems leads to compositions that are not laser-weldable (see, for example, Example 3 and Comparative Examples 3 and 4). Furthermore, the use of typical polyethylene-based impact modifiers for thermoplastic polyesters, such as ethylene/methyl acrylate polymers; ethylene/glycidyl methacrylate polymers; ethylene/butyl acrylate/ glycidyl methacrylate polymers; and the like lead to compositions that are insufficiently transparent to be laser welded.

Harashina et al. disclose flame retardant compositions comprising polyalkylene terephthalate resins, a phosphazene compound, and a phenolic resin. Takahashi et al. disclose a composition comprising polybutylene terephthalate, polyacrylate, and a silane coupling agent. No hint is given in the disclosure of either reference that the combination of thermoplastic polyester, phosphorus-containing flame retardant, phenolic polymer, and thermoplastic acrylic resin would lead to a composition that had the properties of being flame-retardant, impact resistant, and sufficiently transparent to laser light as to be laser weldable. Thus, one of skill in the art would have had no motivation to combine the teachings of Harashina et al. and Takahashi et al. to arrive at the present invention. Thus, claims 1-16 are believed to be non-obvious.

In view of the foregoing, allowance of the above-referenced application is respectfully requested.

Respectfully submitted,



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